

Appl. No. 10/691,147  
Amdt. Dated October 20, 2005  
Reply to Office action of July 20, 2005

### **REMARKS**

Claims 4, 8, 11, 12, and 15 have been canceled. Claims 1, 5, 9-10, 13-14, 16, and 18 have been amended. Claims 21-25 are newly added. Assuming that the newly added claims are entered, claims 1-3, 5-7, 9-10, 13, 14, and 16-25 are pending in the application.

New claims 21-25 are introduced to conform the claimed subject matter to the embodiment of the present invention as shown in drawing FIGS. 1-6, respectively. Therefore, Applicant asserts that no new matter is added.

### ***Claim Objections***

In the Office action, regarding claim 1, it is stated that the "a first portion" on line 11 may have to be "a first position".

In response to this objection, "a first portion" has been corrected to "a first position" in claim 1. Accordingly, Applicant submits that claim 1 is now in allowable form.

### ***Claim Rejections under 35 U.S.C. 112***

Claims 15-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response to this rejection, Applicant has amended independent claim 18 and has canceled claim 15. This has been done, inter alia, in order to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Appl. No. 10/691,147  
Amtd. Dated October 20, 2005  
Reply to Office action of July 20, 2005

Regarding claim 15, "the second portion comprises a sleeve, ... and the actuator extends from the sleeve" has been corrected to "the first portion comprises a sleeve, ... and the actuator extends from the sleeve". It is believed that contradiction between claim 15 and claim 9 is now overcome. Further, all limitations of claim 15 have been added into claim 9 in order to make claim 9 patentable. Accordingly, claim 15 has been canceled. Claims 16 and 17, previously depending from claim 15, have been amended to depend from claim 9.

Claim 18, as amended, now recites, in part:

at least part of the actuation switch being configured for being laterally/radially moveable relative to said other of the first unit and the second unit. (Emphasis added.)

It is submitted that the added limitations more clearly define the relationship between "the actuated switch" and "the shaft section" which "both are mounted and secured to the other of the first and second unit".

Accordingly, it is submitted that claims 16-20 are now clear and definite, and that these claims particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As such, Applicant hereby submits that claims 16-20 are now in allowable form and respectfully requests that the rejection of such claims under 35 U.S.C. 112, 2<sup>nd</sup> Paragraph, be withdrawn.

***Claim Rejections under 35 U.S.C. 102 and 103***

Claims 1-2 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohgami et al. (US 5,592,362).

Appl. No. 10/691,147  
Amdt. Dated October 20, 2005  
Reply to Office action of July 20, 2005

Claims 3 is rejected under 35 U.S.C. 103(a) as being anticipated over Ohgami et al. in view of Saito (US 5,077,551).

In response to this rejection, Applicant has amended independent claim 1 and has cancelled claim 4. Applicant submits that claims 1-3 and 8 are now in condition for allowance.

Amended claim 1 includes the substance of all the limitations of original claims 1 and 4. In the Office Action, the Examiner indicated that claim 4 would be allowable if rewritten independent form including all of the limitations of the base claim and any intervening claims, for which the Examiner is thanked. Since claim 1 now includes all the limitations set forth in original claims 1 and 4, Applicant submits that amended claim 1 is now in condition for allowance.

Accordingly, Applicant submits that claim 1, as well as those claims depending therefrom, are now in condition for allowance, the allowance of which is hereby respectfully requested.

Claims 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato (US6,011,544).

Claims 11-12 are rejected under 35 U.S.C. 103(a) as being anticipated over Sato in view of Saito in view of Ohgami et al.

In response to this rejection, Applicant has amended independent claim 9 and has canceled claims 11, 12 and 15. Applicant submits that claims 9 and 10 are now in condition for allowance.

Amended claim 9 includes the substance of all the limitations of original claims 9, 11, 12 and 15. In the Office action, claim 15 was stated to be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, and to include all the limitations of the base claim and any

Appl. No. 10/691,147  
Amdt. Dated October 20, 2005  
Reply to Office action of July 20, 2005

intervening claims. Regarding claim 15, "the second portion comprises a sleeve, ... and the actuator extends from the sleeve" has been corrected to "the first portion comprises a sleeve, ... and the actuator extends from the sleeve". It is believed that contradiction between claim 15 and original claim 9 is now overcome. Therefore, the rejection under 35 U.S.C. 112 2<sup>nd</sup> paragraph is overcome. Claim 15 is directly or indirectly depends from claims 11 and 12. So, original claims 11, 12 and 15 have been added into amended claim 9, and then claims 11, 12 and 15 has been canceled. Accordingly, it is submitted that amended claim 9 is patentable.

Accordingly, Applicant submits that claim 9, as well as those claims depending therefrom, are now in condition for allowance, the allowance of which is hereby respectfully requested.

#### ***Allowable Subject Matter***

The Examiner is respectfully thanked for indicating that claims 18-20 are allowed if the rejection under 35 USC 112, 2<sup>nd</sup> Paragraph, can be resolved and for indicating that claims 4-7 and 13-17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As detailed above, Applicant has amended independent claim 1 by adding all limitations of claim 4 therein. That is, amended claim 1 is the equivalent of claim 4 rewritten in independent form. Therefore, claim 1 should be allowable. Pending claims 2, 3, and 5-7 all depend on claim 1 and, thus, should also be allowable.

As detailed above, claim 9 has been amended and represents the subject matter of original claims 9, 11, 12 and 15 combined together. This combination of subject matter is the equivalent of claim 15 rewritten to

Appl. No. 10/691,147  
Amdt. Dated October 20, 2005  
Reply to Office action of July 20, 2005

overcome the rejection under 35 U.S.C. 112, 2nd paragraph, and to include all the limitations of the base claim and any intervening claims. Therefore, claim 9 should also be allowable. Pending claims 10, 13, 14, 16, and 17 all depend on claim 9 and, thus, should also be allowable.

As detailed above, Applicant has amended independent claim 18, which is asserted to now be in condition for allowance. Pending claims 19 and 20 all depend on claim 18 and, thus, should also be allowable.

### *Newly Added Claims*

New claim 21 is an independent claim. The subject matter of claim 21 is supported by Figs. 1-6 and is asserted to be novel and unobvious over the cited references. As such, Applicant submits that claim 21 and those new claims depending therefrom are now in condition for allowance.

Claim 21 sets forth a power control apparatus which including a hinge device. The hinge device includes a first part and a second part. The second part includes a rotating portion configured for pivotally receiving the shaft, and an extending portion extending laterally away from an end of the rotating portion and partially surrounding the shaft. The extending portion has an actuator segment corresponding to the button. The actuator segment has an open-end radial cross section. Ohgami et al, Sato, and Saito all fail to disclose the "extending portion" and "the actuator segment" with "an open-end radial cross section". Accordingly, the present invention recited in claim 21 is very different from that of Ohgami et al, Sato, and Saito, and is novel over these references. Further, it is submitted that a person of ordinary skill in the art could not have derived the power control apparatus of the present invention from a consideration of Ohgami et al, Sato, and Saito. As such, Applicant submits that claim 21 is neither

Appl. No. 10/691,147  
Amdt. Dated October 20, 2005  
Reply to Office action of July 20, 2005

taught, disclosed, or suggested by any of the cited references, taken alone or in combination, and is therefore patentable.

New claims 22-25 are dependent claims corresponding to the subject matter of claims 7, 16, and 18-20. Claims 22-25 all depend directly or indirectly from independent claim 21 and should therefore also be allowable.

In view of the above claim amendments and remarks, the subject application is believed to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,  
Meng Ju Hsieh

By   
Wei Te Chung

Registration No.: 43,325  
Foxconn International, Inc.  
P.O. Address: 1650 Memorex Drive,  
Santa Clara, CA 95050  
Tel. No.: (408) 919-6137